**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**APPELLATE SIDE**

**CIVIL APPLICATION NO. 183 OF 2005**
**IN**
**SECOND APPEAL NO. 401 OF 1987**

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| Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
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**CORAM : ABHAY S.OKA, J.**

**DATED : 11th February, 2005.**

**P.C.:**

1. The learned Counsel appearing for the Applicant/Appellant states that the Respondent No.2(i) in the Second Appeal is dead and he has no legal heirs. He seeks permission to delete the name of Respondent No.2(i) from the Second Appeal. Accordingly he is permitted to delete the name of Respondent No.2(i) at the risk of the Appellant. In view of this position, the order dated 27th January 2005 is recalled. Office is directed to place the Appeal for final hearing on 9th March 2005.

2. Civil Application is disposed of in the above terms.

**Judge.**